

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

235.00310101

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/019,642

INTERNATIONAL APPLICATION NO.

PCT/US00/18051

INTERNATIONAL FILING DATE

30/06/2000

PRIORITY DATE CLAIMED

01/07/1999

TITLE OF INVENTION

FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND METHOD OF USE

APPLICANT(S) FOR DO/EO/US

FAYRER-HOSKEN et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Communication Regarding National Stage Entry (2pp); and Itemized return-stamped postcard

U.S. APPLICATION NO. (IF KNOWN, S. CFR
10/019,642

INTERNATIONAL APPLICATION NO.
PCT/US00/18051

ATTORNEY'S DOCKET NUMBER
235.00310101

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1), - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☐ 30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00
Independent claims	- 3 =	0	x \$84.00

Multiple Dependent Claims (check if applicable). ☐

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). ☐ 20 ☐ 30

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

TOTAL FEES ENCLOSED =

Amount to be:
refunded \$
charged \$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **13-4895** A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Victoria A. Sandberg
Mueting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
United States of America


SIGNATURE

David L. Provence
NAME

43,022
REGISTRATION NUMBER

1 February 2002
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Fayrer-Hosken et al.

Group Art Unit: Unknown

Serial No.: 10/019,642

Examiner: Unknown

Filed: December 28, 2001

Docket No.: 235.00310101

Title: FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND METHOD OF USE

Assistant Commissioner for Patents

Attn: Box PCT

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ **Small entity status is entitled to be asserted in the above-identified application.**
- ☒ An itemized return postcard.
- ☐ A Petition for Extension of Time for __ month(s) and a check in the amount of \$__ for the required fee.
- ☐ An Information Disclosure Statement (__ pgs), copies of __ applications; 1449 forms (__ pgs); and copies of __ documents cited on the 1449 forms.
- ☐ A check in the amount of \$__, representing __.
- ☒ Other: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pgs.); Two executed Declarations (4 pgs. each); and Communication Regarding National Stage Entry (2pgs.).
- Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$42 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$140 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: David L. Provence

Name: David L. Provence

Reg. No.: 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: 1 February 2002

Date of Deposit: EL888273343US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Gara Ladik
Name: Gara Ladik

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Fayrer-Hosken et al.)	Group Art No.:	Unknown
)		
Serial No.:	10/019,642)	Examiner:	Unknown
)		
Filed:	December 28, 2001)		
)		
)		
For:	FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND METHOD OF USE			

COMMUNICATION REGARDING NATIONAL STAGE ENTRY

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

Enclosed are the Declarations of the inventors of the above-identified application. The documents required under 35 U.S.C. §371(c) have now been filed in the above-identified application. Accordingly, pursuant to 37 C.F.R. §1.491, Applicants respectfully submit that the above-identified application is in order for entry into the national stage.

As required under 37 C.F.R. §1.492(e), the surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was included at the time of filing the present application. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

Communication Regarding National Stage Entry

Page 2

Applicants : Fayrer-Hosken, et al.

Serial No. 10/019,642

Filed: December 28, 2002

Attorney Docket No.: 235.0031 0101

Title: FERTILITY IMPAIRING VACCINE CONTAINING AVIAN ZONA PELLUCIDA PROTEIN AND
METHOD OF USE

The Examiner is invited to contact Applicants' Representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

FAYRER-HOSKEN, ET AL.

By,

Muetting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612) 305-1220

Facsimile: (612) 305-1228

Customer Number 26813

February 1, 2002
Date

By: David L. Provence
David L. Provence
Reg. No. 43,022
Direct Dial (612) 305-1005

Date of Deposit: <u>February 1, 2002</u>	
Express Mail label number: <u>EL 888273343US</u>	
I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, BOX PCT, Washington, D. C. 20231."	
<u>Caraladwig</u>	
Name: <u>Caraladwig</u>	